



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

August 23, 2019

Mr. Daniel McGrath
American Oversight
1030 15th St. NW - Suite B255
Washington, DC 20005

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **19-02536-FOIA**

Dear Mr. McGrath:

This letter responds to your request, dated and received in this office on July 9, 2019, for a copy of the attachment to an email from Chairman Jay Clayton to Lucas Moskowitz dated February 24, 2018 concerning Reg-Tech-NCPS (Feb 2018). We provided you with the email but not the attachment in response to your previous request, FOIA Request No. 18-01541-FOIA.

We have decided to withhold the requested document (9 pages) under Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4). Exemption 4 protects commercial or financial information obtained from a person that is privileged or confidential.

I am the deciding official with regard to this adverse determination. You have the right to appeal my decision to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(f)(1). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

You may file your appeal by completing the online Appeal form located at https://www.sec.gov/forms/request_appeal, or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address.

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If you have any questions, please contact Warren Jackson of my staff at jacksonw@sec.gov or (202) 551-8312. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

Ray J. McInerney

Ray J. McInerney
FOIA Branch Chief

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at Archives.gov. Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.